

**A RESOLUTION APPROVING THE ACQUISITION/DONATION
OF THREE STORMWATER DETENTION BASIN PARCELS
LOCATED NORTH OF AIRPORT EXPRESSWAY, FORT
WAYNE, INDIANA, FOR THE CITY OF FORT WAYNE, BY
AND THROUGH THE BOARD OF PUBLIC WORKS**

WHEREAS, the City of Fort Wayne ("City"), by and through its Board of Public Works, wishes to acquire those three (3) certain parcels of real estate located north of Airport Expressway in Fort Wayne, Indiana, designated as having tax parcel numbers 02-12-33-351-001.000-074, 02-12-32-300-007.000-074, and 02-12-32-400-001.004-074, together having a total acreage of some 46.5 acres and each having been improved for stormwater detention purposes (the "Parcels"), to be used as part of the public storm drain system serving continued growth and development of the area surrounding Fort Wayne International Airport; and

WHEREAS, the Parcels' owner, HBC Real Company ("HBC"), has agreed to donate the Parcels to the City at no cost by the terms of that land donation agreement by and between HBC and the City and attached hereto as Exhibit "A" and made a part hereof by this reference (the "Land Donation Agreement"), which Land Donation Agreement and the conveyance of the Parcels as contemplated therein have been submitted to the Common Council of the City for approval.

**NOW, THEREFORE, BE IT RESOLVED BY THE COMMON
COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:**

SECTION 1. The donation of the Parcels to the City, under the terms of the Land Donation Agreement, is hereby agreed to and approved. The appropriate officials of the City are hereby authorized to execute all documents

1 necessary to accomplish said conveyance.

2 **SECTION 2.** This Resolution shall be in full force and effect from and
3 after its passage and any and all necessary approval by the Mayor.
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5
6 _____
7 Council Member

8 APPROVED AS TO FORM AND LEGALITY

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10 _____
11 Malak Heiny, City Attorney
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CITY OF FORT WAYNE

THOMAS HENRY, MAYOR

Project Name: Airport Expressway Phase III Stormwater Improvements

Work Order Number: 83794

Parcels:

- PIN: 02-12-33-351-001.000-074; Last Deed of Record: Doc. 910016614 1954788
- PIN: 02-12-32-300-007.000-074; Last Deed of Record: Doc. 790032094 1954303
- PIN: 02-12-32-400-001.004-074; Last Deed of Record: Doc. 790032094 179951682

I, JUVA ZIMMERMAN, on behalf of the undersigned property owner (hereinafter "Owner"), hereby agree to donate, convey, and warrant to Fort Wayne City Utilities ("FWCU") the fee simple interests in the entirety of those certain parcels of real estate referenced hereinabove (the "Property"). Owner thus acknowledges that Owner is entitled to just compensation based on an independent appraisal of said real estate, and Owner knowingly waives all its rights to be remunerated for the Property, wishing to donate such Property to FWCU, in consideration only of goodwill, and of FWCU's assumption of maintenance and other liabilities. Moreover Owner agrees to pay all closing fees and all other costs whatsoever associated with transferring title to FWCU, as well as the remainder of all property taxes owed in 2024; and to execute all necessary conveyance instruments and otherwise cooperate in full to transfer clear title to the Property to FWCU. By executing below, Owner represents that this donation is made freely and without any undue influence or any manner of coercion.

HBC Realty Corporation

Print Name and Title: Juva Zimmerman

ACKNOWLEDGEMENT

STATE OF INDIANA)

SS:

COUNTY OF ALLEN)

Before me, a Notary Public in and for said County and State, personally appeared JUVA ZIMMERMAN on behalf of HBC Realty Corporation who acknowledged the truth of the statements in the foregoing affidavit on this 29th day of March, 2024.

Notary Public Signature

My Commission Expires MAY 23, 2024

My County of Residence is ALLEN

Notary Public Printed Name



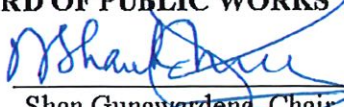
SAFE CITY • QUALITY JOBS • B.E.S.T.

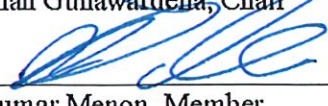
One Main St. • Fort Wayne, Indiana • 46802-1804 • www.cityoffortwayne.org

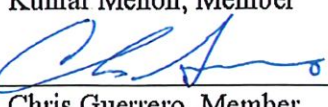
An Equal Opportunity Employer

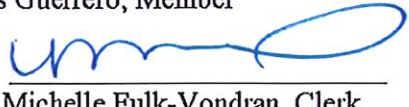
APPROVED this 2nd day of April, 2024.

BOARD OF PUBLIC WORKS

BY: 
Shan Gunawardena, Chair

BY: 
Kumar Menon, Member

BY: 
Chris Guerrero, Member

ATTEST: 
Michelle Fulk-Vondran, Clerk

Prepared by: Seth Weinglass, City of Fort Wayne, Program Manager, Capital Project Services

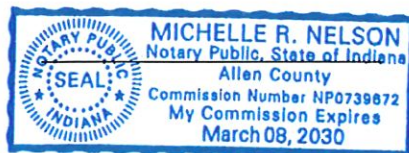
ACKNOWLEDGEMENT

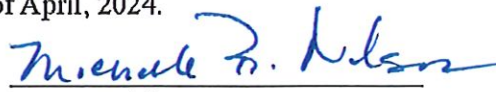
STATE OF INDIANA)
) SS
COUNTY OF ALLEN)

Before me, a Notary Public, in and for said County and State personally appeared Shan Gunawardena, Kumar Menon, and Chris Guerrero, as Members of the Board of Public Works of the City of Fort Wayne, and Michelle Fulk-Vondran, Clerk of the Board of Works, and acknowledged the execution of the foregoing contract as and for their voluntary act and deed for the uses and purposes therein contained.

WITNESS my hand and notarial seal this 2nd day of April, 2024.

My Commission Expires:




Notary Public

Resident of Allen County

Michelle R. Nelson
Printed Name of Notary

General Information	
Parcel Number	02-12-32-300-007.000-074
Local Parcel Number	95-0317-0001

Tax ID:

Routing Number

Property Class 100
Vacant Land

Year: 2023

Location Information	
County	Allen
Township	WAYNE TOWNSHIP
District 074 (Local 091)	074 FT WAYNE WAYNE (91-95)
School Corp 0235	FORT WAYNE COMMUNITY

Neighborhood 171001-074
AG/RURAL RES HOMESITES 01 0

Section/Plat

0032
Location Address (1)
5000 AIRPORT EXPY (BLK OF)
FORT WAYNE, IN 46809

Zoning

Subdivision

Lot

Market Model
RES 1 WAY TWP

Characteristics	
Topography Level	☐
Public Utilities Electricity	ERA ☒
Streets or Roads Unpaved	TIF ☒
Neighborhood Life Cycle Stage Other	☒

Printed Thursday, April 13, 2023

Review Group 2022

Ownership	
HBC Realty Corporation	Po Box 10690
Fort Wayne, IN 46853	

Legal
E 70 A SW 1/4 Sec 32 Ex Tracts & Ex RW

Transfer of Ownership	
Date	11/02/2020
Owner	HBC Realty Corporation
Doc ID	2020068004
Code	CW
Book/Page	WD
Adj Sale Price	\$0
Price	\$0

Notes
5/16/2019 MISC: 2019021536 5-13-2019 split 1.91 A from -300-007. to -400-001,003 for 2021. met

Valuation Records (Work in Progress values are not certified values and are subject to change)									
2023		Assessment Year		2023	2022	2021	2020	Agricultural	
	WIP	Reason For Change		AA	AA	AA	AA	AA	
02/08/2023		As Of Date		04/07/2023	03/21/2022	03/08/2021	03/13/2020		03/15/2019
Indiana Cost Mod		Valuation Method		Indiana Cost Mod	Indiana Cost Mod	Indiana Cost Mod	Indiana Cost Mod	Indiana Cost Mod	Indiana Cost Mod
1.0000		Equalization Factor		1.0000	1.0000	1.0000	1.0000	1.0000	1.0000
		Notice Required		☒	☒	☒	☐	☐	☐
\$9,500		Land		\$9,500	\$7,500	\$6,500	\$38,900	\$50,100	
\$0		Land Res (1)		\$0	\$0	\$0	\$0	\$0	
\$9,500		Land Non Res (2)		\$9,500	\$7,500	\$6,500	\$38,900	\$50,100	
\$0		Land Non Res (3)		\$0	\$0	\$0	\$0	\$0	
\$0		Improvement		\$0	\$0	\$0	\$0	\$0	
\$0		Imp Res (1)		\$0	\$0	\$0	\$0	\$0	
\$0		Imp Non Res (2)		\$0	\$0	\$0	\$0	\$0	
\$0		Imp Non Res (3)		\$0	\$0	\$0	\$0	\$0	
\$9,500		Total		\$9,500	\$7,500	\$6,500	\$38,900	\$50,100	
\$0		Total Res (1)		\$0	\$0	\$0	\$0	\$0	
\$9,500		Total Non Res (2)		\$9,500	\$7,500	\$6,500	\$38,900	\$50,100	
\$0		Total Non Res (3)		\$0	\$0	\$0	\$0	\$0	
Land Data (Standard Depth: Res 120', Cl 120' Base Lot: Res 0' X 0' Cl 0' X 0')									

Land Data (Standard Depth: Res 120', Cl 120' Base Lot: Res 0' X 0' Cl 0' X 0')

Land Type	Pricing Method	Soil ID	Act Front.	Size	Factor	Rate	Adj. Rate	Ext. Value	Infl. %	Res Elig %	Market Factor	Value
4	A	BMA	0	0.522	0.89	\$1,900	\$1,691	\$883	0%	0%	1.0000	\$880
4	A	BMB2	0	1.960	0.85	\$1,900	\$1,615	\$3,165	0%	0%	1.0000	\$3,170
4	A	PE	0	0.517	1.11	\$1,900	\$2,109	\$1,090	0%	0%	1.0000	\$1,090
4	A	MRB2	0	0.145	0.77	\$1,900	\$1,463	\$212	0%	0%	1.0000	\$210
6	A	BMA	0	9.005	0.89	\$1,900	\$1,691	\$15,227	-80%	0%	1.0000	\$3,050
6	A	BMB2	0	0.945	0.85	\$1,900	\$1,615	\$1,526	-80%	0%	1.0000	\$310
6	A	MRB	0	2.681	0.81	\$1,900	\$1,539	\$4,126	-80%	0%	1.0000	\$830

Land Computations

Calculated Acreage	15.78
Actual Frontage	0
Developer Discount	☐
Parcel Acreage	15.78
81 Legal Drain NV	0.00
82 Public Roads NV	0.00
83 UT Towers NV	0.00
9 Homesite	0.00
91/92 Acres	0.00
Total Acres Farmland	15.78
Farmland Value	\$9,540
Measured Acreage	15.78
Avg Farmland Value/Acre	605
Value of Farmland	\$9,540
Classified Total	\$0
Farm / Classified Value	\$9,500
Homesite(s) Value	\$0
91/92 Value	\$0
Supp. Page Land Value	\$0
CAP 1 Value	\$9,500
CAP 2 Value	\$0
CAP 3 Value	\$0
Total Value	\$9,500

Appraiser 03/30/2022 bjzuaa

Collector

Data Source Aerial

General Information
Parcel Number
02-12-32-400-001.004-074
Local Parcel Number
95-0316-0009

Tax ID:

Routing Number

Property Class 100
Vacant Land

Year: 2023

Location Information
County
Allen
Township
WAYNE TOWNSHIP
District 074 (Local 091)
074 FT WAYNE WAYNE (91-95)
School Corp 0235
FORT WAYNE COMMUNITY

Neighborhood 171001-074
AG/RURAL RES HOMESITES 01 0

Section/Plat

0032
Location Address (1)
4510 AIRPORT EXPY
FORT WAYNE, IN 46809

HBC Realty Corporation

Ownership
HBC Realty Corporation
PO Box 10690
Fort Wayne, IN 46853-0690

4510 AIRPORT EXPY

Transfer of Ownership
Date
01/01/1900
Owner
HBC Realty Corporation

100, Vacant Land

Doc ID Code Book/Page Adj Sale Price V/I
WD / \$0 1

AG/RURAL RES HOMESIT

Notes

Legal
16.5203 A In Tract Pt of W 1/2 SE 1/4 Sec 32



Valuation Records (Work in Progress values are not certified values and are subject to change)

2023	Assessment Year	2023	Reason For Change	AA
WIP	02/08/2023	04/07/2023		
Indiana Cost Mod	Valuation Method	Indiana Cost Mod		
1.0000	Equalization Factor	1.0000		
	Notice Required	☒		
\$15,100	Land	\$15,100		
\$0	Land Res (1)	\$0		
\$15,100	Land Non Res (2)	\$15,100		
\$0	Land Non Res (3)	\$0		
\$0	Improvement	\$0		
\$0	Imp Res (1)	\$0		
\$0	Imp Non Res (2)	\$0		
\$0	Imp Non Res (3)	\$0		
\$15,100	Total	\$15,100		
\$0	Total Res (1)	\$0		
\$15,100	Total Non Res (2)	\$15,100		
\$0	Total Non Res (3)	\$0		

Land Data (Standard Depth: Res 120', Cl 120' Base Lot: Res 0' X 0' Cl 0' X 0')

Land Type	Pricing Method	Soil ID	Act Front.	Size	Factor	Rate	Adj. Rate	Ext. Value	Infl. %	Res Elig %	Market Factor	Value
4	A	BMA	0	1.867	0.89	\$1,900	\$1,691	\$3,157	0%	0%	1.0000	\$3,160
4	A	BMB2	0	.059	0.85	\$1,900	\$1,615	\$95	0%	0%	1.0000	\$100
4	A	MRB2	0	4.76	0.77	\$1,900	\$1,463	\$6,964	0%	0%	1.0000	\$6,960
4	A	PE	0	.945	1.11	\$1,900	\$2,109	\$1,993	0%	0%	1.0000	\$1,990
6	A	BMA	0	1.04	0.89	\$1,900	\$1,691	\$1,759	-80%	0%	1.0000	\$350
6	A	MRB	0	4.452	0.81	\$1,900	\$1,539	\$6,852	-80%	0%	1.0000	\$1,370
6	A	MRB2	0	1.837	0.77	\$1,900	\$1,463	\$2,688	-80%	0%	1.0000	\$540
6	A	PE	0	1.56	1.11	\$1,900	\$2,109	\$3,290	-80%	0%	1.0000	\$660

Characteristics
Topography Level ☐
Public Utilities Electricity ☒
Streets or Roads Unpaved ☒
Neighborhood Life Cycle Stage Other ☐

Thursday, April 13, 2023

Review Group 2022

Data Source Aerial

Collector

Appraiser 03/30/2022 bjzuaa

Land Computations

Calculated Acreage	16.52
Actual Frontage	0
Developer Discount	☐
Parcel Acreage	16.52
81 Legal Drain NV	0.00
82 Public Roads NV	0.00
83 UT Towers NV	0.00
9 Homesite	0.00
91/92 Acres	0.00
Total Acres Farmland	16.52
Farmland Value	\$15,130
Measured Acreage	16.52
Avg Farmland Value/Acre	916
Value of Farmland	\$15,130
Classified Total	\$0
Farm / Classified Value	\$15,100
Homesite(s) Value	\$0
91/92 Value	\$0
Supp. Page Land Value	\$0
CAP 1 Value	\$0
CAP 2 Value	\$15,100
CAP 3 Value	\$0
Total Value	\$15,100

Interoffice Memo

Date: April 4, 2024
To: Common Council Members
From: Seth Weinglass, Program Manager – Capital Project Services – Telephone: 427-1330
RE: **Donation of Three Stormwater Detention Basin Parcels Located North of Airport Expressway, Fort Wayne, IN 46835**

Council Introduction Date: April 9, 2024—Council District #: 4

Background & supporting information:

HBC Realty Company has agreed to donate three parcels of land to City Utilities, all within the vicinity of the Fort Wayne International Airport and the surrounding developments. All together, the land being donated has a total acreage of some 46.5 acres. The attached aerial image depicts the location of all three parcels.

Each of these parcels is the site of an existing stormwater detention facility. These facilities will be incorporated into the public storm drainage system, as part of a project designed to address flooding and standing water issues, so as to enable continued growth and development in the area.

Implications of not being approved:

If City Utilities does not acquire this land, a different area of land will need to be purchased for the drainage improvements at additional cost.

Justification if prior approval is being requested: Not applicable

Funding source: CUE Revenue

Attachments:

- Land Donation Agreement
- Aerial Image
- Tax Cards

CC: Matthew Wirtz
Anne Marie Smrchek
Jill Helfrich